

HOUSE BILL 2079
By Maddox

AN ACT to amend Tennessee Code Annotated, Title 54,
Chapter 22, Part 1, relative to rights-of-way.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 22, Part 1, is amended by adding the following language as a new section:

§ 54-22-106.

(a) Whenever the department seeks to change the location of a right-of-way which affects property which is more than one hundred feet (100') from the centerline of a highway, the department shall give notice to all owners of such affected property.

(b) In addition to any other remedy available under law, an owner of property which is affected by a relocation of a right-of-way, within thirty (30) days of receiving the notice required in subsection (a), may either:

(1) Provide written consent to the department on a form provided by the department; or

(2) File a grievance with the department.

(c) All grievances filed with the department shall be reviewed by the commissioner or the commissioner's designee, and the department shall provide a written response to all grievances prior to initiating any operations to relocate a right-of-way.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.